

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael Sargese

Docket Number: 06-00121-001

Name of Sentencing Judicial Officer: HONORABLE Stanley R. Chesler, USDJ

Date of Original Sentence: 01/07/2008

Original Offense: Conspiracy to Distribute Oxycodone

Original Sentence: 5 years probation with the following special conditions: 12 months Community Confinement; DNA Collection; Drug Treatment or Urinalysis.

Type of Supervision: Probation

Date Supervision Commenced: 01/07/08

Assistant U.S. Attorney: Jonathan W. Romankow, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Vincent C. Scoca, Esq., 395 Franklin Street, Bloomfield, New Jersey 07003, (973) 680-8949

PETITIONING THE COURT

- [] To issue a warrant
[X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the supervision condition which states ‘The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.’

On January 22, 2008, the offender submitted a urinalysis that tested positive for oxycodone.

On March 20, 2008, the offender submitted a urinalysis that tested positive for oxymorphone.

2

The offender has violated the supervision condition which states '**The defendant shall reside for a period of 12 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.**'

The urinalysis on March 20, 2008, was administered by officials of Toler House in Newark, New Jersey, where Sargese was serving the community confinement portion of his sentence. Sargese was immediately discharged from the facility as a result of his drug use.

I declare under penalty of perjury that the foregoing is true and correct.

Denise Morales

By: Denise Morales
U.S. Probation Officer *TM*
Date: 4/1/08

THE COURT ORDERS:

- The Issuance of a Warrant
 The Issuance of a Summons. Date of Hearing: 4/17/08 @ 10:00 a.m.
 No Action
 Other

[Signature]
Signature of Judicial Officer

4/7/08
Date